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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/506,477 | 09/01/2004 | Michael Weissner | 870-003-174 | 3038 |
| 834/09 | 7590 | 10/12/2010 | | |
| Oliver Intellectual Property LLC P.O. Box 1670 Cotuit, MA 02635 | | | EXAMINER DWIVEDI, VIKANSHA S | |
| | | | ART UNIT 3741 | PAPER NUMBER |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MICHAEL WEISSER

Appeal 2009-009300
Application 10/506,477
Technology Center 3700

Before STEVEN J. BARTLETT, *Division 2 Support Manager*.

ORDER DISMISSING APPEAL

On December 5, 2007, Appellant filed a Notice of Appeal. On October 10, 2010, Appellant filed a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114. The RCE will be treated as a request to withdraw the appeal.

Accordingly, the appeal in this application is dismissed.

The application is being returned to the Examiner for further action as may be appropriate.

Appeal 2009-009300
Application 10/506,477

If there are any questions pertaining to this Order, please contact the
Board of Patent Appeals and Interferences at 571-272-9797.

mls

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